

By: Meyer, Fallon, et al.

H.B. No. 2575

A BILL TO BE ENTITLED

AN ACT

relating to certain requirements imposed on a sex offender who enters the premises of a school.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 62.053(a), Code of Criminal Procedure, is amended to read as follows:

(a) Before a person who will be subject to registration under this chapter is due to be released from a penal institution, the Texas Department of Criminal Justice or the Texas Juvenile Justice Department shall determine the person's level of risk to the community using the sex offender screening tool developed or selected under Article 62.007 and assign to the person a numeric risk level of one, two, or three. Before releasing the person, an official of the penal institution shall:

(1) inform the person that:

(A) not later than the later of the seventh day after the date on which the person is released or after the date on which the person moves from a previous residence to a new residence in this state or not later than the first date the applicable local law enforcement authority by policy allows the person to register or verify registration, the person must register or verify registration with the local law enforcement authority in the municipality or county in which the person intends to reside;

(B) not later than the seventh day after the date

1 on which the person is released or the date on which the person  
2 moves from a previous residence to a new residence in this state,  
3 the person must, if the person has not moved to an intended  
4 residence, report to the applicable entity or entities as required  
5 by Article 62.051(h) or (j) or 62.055(e);

6 (C) not later than the seventh day before the  
7 date on which the person moves to a new residence in this state or  
8 another state, the person must report in person to the local law  
9 enforcement authority designated as the person's primary  
10 registration authority by the department and to the juvenile  
11 probation officer, community supervision and corrections  
12 department officer, or parole officer supervising the person;

13 (D) not later than the 10th day after the date on  
14 which the person arrives in another state in which the person  
15 intends to reside, the person must register with the law  
16 enforcement agency that is identified by the department as the  
17 agency designated by that state to receive registration  
18 information, if the other state has a registration requirement for  
19 sex offenders;

20 (E) not later than the 30th day after the date on  
21 which the person is released, the person must apply to the  
22 department in person for the issuance of an original or renewal  
23 driver's license or personal identification certificate and a  
24 failure to apply to the department as required by this paragraph  
25 results in the automatic revocation of any driver's license or  
26 personal identification certificate issued by the department to the  
27 person;

1 (F) the person must notify appropriate entities  
2 of any change in status as described by Article 62.057; ~~and~~

3 (G) certain types of employment are prohibited  
4 under Article 62.063 for a person with a reportable conviction or  
5 adjudication for a sexually violent offense involving a victim  
6 younger than 14 years of age occurring on or after September 1,  
7 2013; and

8 (H) if the person enters or goes within 25 feet of  
9 the premises of a school as described by Article 62.064 and is  
10 subject to the requirements of that article, the person must  
11 immediately notify the administrative office of the school of the  
12 person's presence and the person's registration status under this  
13 chapter;

14 (2) require the person to sign a written statement  
15 that the person was informed of the person's duties as described by  
16 Subdivision (1) or Subsection (g) or, if the person refuses to sign  
17 the statement, certify that the person was so informed;

18 (3) obtain the address or, if applicable, a detailed  
19 description of each geographical location where the person expects  
20 to reside on the person's release and other registration  
21 information, including a photograph and complete set of  
22 fingerprints; and

23 (4) complete the registration form for the person.

24 SECTION 2. Article 62.058, Code of Criminal Procedure, is  
25 amended by adding Subsection (g) to read as follows:

26 (g) A local law enforcement authority who provides a person  
27 with a registration form for verification as required by this

1 chapter shall include with the form a statement and, if applicable,  
2 a description of the person's duty to provide notice under Article  
3 62.064.

4 SECTION 3. Subchapter B, Chapter 62, Code of Criminal  
5 Procedure, is amended by adding Article 62.064 to read as follows:

6 Art. 62.064. ENTRY ONTO OR PRESENCE NEAR SCHOOL PREMISES;  
7 NOTICE REQUIRED. (a) In this article:

8 (1) "Premises" means a building or portion of a  
9 building and the grounds on which the building is located,  
10 including any public or private driveway, street, sidewalk or  
11 walkway, parking lot, or parking garage on the grounds.

12 (2) "School" has the meaning assigned by Section  
13 481.134, Health and Safety Code.

14 (b) A person subject to registration under this chapter who  
15 enters the premises of any school in this state or goes within 25  
16 feet of the premises of a school in this state during the standard  
17 operating hours of the school shall immediately notify the  
18 administrative office of the school of the person's presence on the  
19 premises of the school and the person's registration status under  
20 this chapter. The office may provide a chaperon to accompany the  
21 person while the person is on the premises of the school.

22 (c) The requirements of this article:

23 (1) are in addition to any requirement associated with  
24 the imposition of a child safety zone on the person under Section  
25 508.187, Government Code, or Article 42A.453; and

26 (2) do not apply to:

27 (A) a student enrolled at the school; or

1                    (B) a student from another school participating  
2 at an event at the school.

3            SECTION 4. The change in law made by this Act applies to a  
4 person subject to registration under Chapter 62, Code of Criminal  
5 Procedure, for an offense committed or conduct that occurs before,  
6 on, or after the effective date of this Act.

7            SECTION 5. This Act takes effect September 1, 2017.